

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

RONDELL HENRY,

Defendant

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CRIMINAL NO. PX-19-181

CONSENT MOTION TO EXCLUDE TIME PURSUANT TO 18 U.S.C. § 3161

The United States of America, by and through its attorneys, with the consent of the defendant, hereby requests, pursuant to 18 U.S.C. § 3161(h)(7), an order to exclude the time period between and including **June 24, 2019, and September 13, 2019**, in computing the time within which trial must commence in accordance with 18 U.S.C. § 3161(c), and in support thereof submits the following:

1. On April 3, 2019, United States Magistrate Judge Charles B. Day authorized a criminal complaint charging the defendant with violating 18 U.S.C. § 2312. An initial appearance was held the following day, after the defendant's arrest.

2. On April 10, 2019, a federal grand jury for the District of Maryland returned an indictment charging the defendant with violating 18 U.S.C. § 2312. ECF No. 13.

3. An arraignment on the indictment was held on April 29, 2019. During the arraignment, the parties were apprised of a motions deadline set for May 20, 2019, and a status call set for 10:00 a.m. on May 21, 2019.

4. The Government filed a motion to toll the Speedy Trial clock from April 29, 2019, through May 21, 2019, ECF No. 18, which the Court granted, ECF No. 19.

5. The Government filed a second motion to toll the Speedy Trial clock from April 29, 2019, through June 24, 2019, ECF No. 21, which the Court granted, ECF No. 23.

6. The parties and Court held a status call on June 24, 2019. On the status call, the parties sought an additional status call on July 29, 2019. After the later status call, the Court entered a scheduling order, setting a motions deadline of September 13, 2019. ECF No. 25. Accordingly, the Government now moves to toll the Speedy Trial clock for the time from June 24, 2019, through and including September 13, 2019.

7. In accordance with the Speedy Trial Act, 18 U.S.C. § 3161(c), the trial of a defendant charged in an information or indictment shall commence within seventy days from the filing date of the information or indictment, or from the date the defendant appeared before a judicial officer, whichever date last occurs.

8. However, pursuant to 18 U.S.C. § 3161(h)(7), the Court may grant a continuance of speedy trial when the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. Here, the ends of justice are served by the continuance because (1) defense counsel has stated the need for additional time for client-related reasons, and (2) the Government is considering seeking a superseding indictment that would require an additional motions schedule.

9. The Government now respectfully requests that the Court exclude the time from June 24, 2019, through September 13, 2019, in computing the time within which trial must commence under 18 U.S.C. § 3161(h)(7). This exclusion will provide sufficient time for defense counsel to determine certain client-related issues, as well as for the Government to determine whether to seek a superseding indictment.

10. The defendant, through counsel, consents to this motion.

11. For the foregoing reasons, the ends of justice will be served by excluding the requested time in computing the time within which trial must commence pursuant to 18 U.S.C. § 3161(h), and those ends outweigh the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

Robert K. Hur
United States Attorney

By: /s/
Thomas P. Windom
Assistant United States Attorney